

ENTERED

March 24, 2025

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

FARUK AZAM,

Plaintiff,

v.

LELAND C. DUDEK,¹
*Acting Commissioner of the Social Security
Administration,*

Defendant.

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CIVIL ACTION NO. H-24-1038

**MEMORANDUM AND ORDER ADOPTING MEMORANDUM AND
RECOMMENDATION AND GRANTING THE DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT**

This court has reviewed the United States Magistrate Judge's Memorandum and Recommendation on the Commissioner's motion for summary judgment, (Docket Entry No. 9), and made a *de novo* determination. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). Based on the pleadings, the record, and the applicable law, the court adopts the Memorandum and Recommendation as this court's Memorandum and Order. This court finds and concludes that the Administrative Law Judge's decision denying social security benefits is supported by substantial evidence in the record and that the Administrative Law Judge properly applied the legal standards. The Commissioner's motion for summary judgment, (Docket Entry No. 7), is granted.

¹ Leland C. Dudek became the Acting Commissioner of Social Security in February 2025. Dudek is "automatically substituted" as the defendant in this suit. Fed. R. Civ. P. 25(d); *see also* 42 U.S.C. § 405(g) ("Any action instituted in accordance with this subsection shall survive notwithstanding any change in the person occupying the office of Commissioner of Social Security or any vacancy in such office.").

Final judgment dismissing this case with prejudice is entered by separate order.

SIGNED on March 24, 2025, at Houston, Texas.

A handwritten signature in black ink, appearing to read "Lee H. Rosenthal", written over a horizontal line.

Lee H. Rosenthal
Senior United States District Judge